

**AMENDMENT AND PRESENTATION OF CLAIMS**

Please replace all prior claims in the present application with the following claims, in which claims 4, 6, 14, 16, and 22 are canceled without prejudice or disclaimer, claims 1, 5, 11, 15, and 21 are currently amended.

1. (Currently Amended) A mobile communications terminal, comprising:  
means responsive to the commencement of an activity or the running of an application for adjusting an availability setting to the highest one of a setting associated with the run application or the commenced activity and a setting associated with a selected operating profile, and  
means for reporting the adjusted availability setting to or via a network.
2. (Original) A terminal as claimed in claim 1, in which the adjusting means is arranged to adjust the availability setting depending on the identity of the application or the activity.
3. (Original) A terminal as claimed in claim 2, in which the availability setting associated with at least one application or activity is user definable.
4. (Canceled)
5. (Currently Amended) A terminal as claimed in claim ~~[[4]]~~ 1, in which the availability setting associated with at least one operating profile is user definable.
6. (Canceled)

7. (Previously Presented) A terminal as claimed in claim 1, in which the adjusting means is responsive to the ending of the activity or the ceasing of the running of the application to restore the availability setting to its previous setting.

8. (Previously Presented) A terminal as claimed in claim 1, comprising means for allowing a user to define a different availability setting for a predetermined network user or a group of network users to a setting associated with other users.

9. (Previously Presented) A terminal as claimed in claim 1, comprising means for queuing one or more communications received in contravention of an availability setting without revealing the one or more communications to the user.

10. (Previously Presented) A terminal as claimed in claim 1, comprising means responsive to the receipt of a communication in contravention of an availability setting for automatically sending a reply communication.

11. (Currently Amended) A method of setting an availability setting relating to a mobile communications terminal, the method comprising:

detecting the commencement of an activity or the running of an application; and

in response to a detection:

adjusting an availability setting to the highest one of a setting associated with the one application or the commenced activity and a setting associated with a selected operating profile; and

reporting the adjusted availability setting to or via a network.

12. (Original) Method as claimed in claim 11, in which the adjusting step includes adjusting the availability setting depending on the identity of the application or the activity.

13. (Original) A method as claimed in claim 12, in which the availability setting associated with at least one application or activity is user definable.

14. (Canceled)

15. (Currently Amended) A method as claimed in claim ~~14~~ 11, in which the availability setting associated with at least operating profile is user definable.

16. (Canceled)

17. (Previously Presented) A method as claimed in claim 11, comprising detecting the ending of the activity or the ceasing of the running of the application, and in response to a detection restoring the availability setting to its previous setting.

18. (Previously Presented) A method as claimed in claim 11, comprising allowing a user to define a different availability setting for a predetermined network user or a group of network users to a setting associated with other users.

19. (Previously Presented) A method claimed in claim 11, comprising queuing one or more communications received in contravention of an availability setting without revealing the one or more communications to the user.

20. (Previously Presented) A method as claimed in claim 11, comprising automatically sending in response to the receipt of a communication in contravention of an availability setting a reply communication.

21. (Currently Amended) An apparatus comprising:

a processor configured to:

adjust an availability setting in commencement of an activity or a running of an application to the highest one of a setting associated with the one application or the commenced activity and a setting associated with a selected operating profile; and report the adjusted availability setting to or via a network.

22. (Canceled)

23. (Previously Presented) The apparatus as claimed in claim 21, further comprising that the processor is configured to allow a user to define a different availability setting for a predetermined network user or a group of network users to a setting associated with other users.